

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**FIRST AMENDED CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE	
Case 5-CA-29366	Date Filed

**INSTRUCTIONS**

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer American Institute of Physics		b. Number of workers employed approx. 500
c. Address (street, city, state, ZIP code) 1 Physics Ellipse College Park, MD 20740	d. Employer Representative Marc H. Brodsky	e. Telephone No. 301 209 3100
f. Type of Establishment (factory, mine, wholesaler, etc.) Publishing company	g. Identify principal product or service Physics journals	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>Since on or about May 31, 2000, the above-named Employer, by its officers and agents, interfered with, restrained and coerced its employees in the exercise of rights guaranteed in Section 7 of the Act by terminating under pretext the employment of Jeff Schmidt, senior associate editor, because of his protected concerted activities and because he advocated formation of a union at the workplace.</p> <p>Since on or about August 29, 2000, the above-named Employer, by its officers and agents, announced a rule prohibiting staff members from discussing their performance reviews with other staff members.</p>		
By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Jeff Schmidt		
4a. Address (street and number, city, state, and ZIP code) 3003 Van Ness Street, NW, W406 Washington, DC 20008		4b. Telephone No. 202 537 3645
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) N/A		
6. DECLARATION		
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		
By <u>Jeff Schmidt</u> (signature of representative or person making charge) Jeff Schmidt		Individual (title if any)
Address <u>3003 Van Ness Street, NW, W406</u> <u>Washington, DC 20008</u>		<u>202 537 3645</u> (Telephone No.)
		<u>1/4/01</u> (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)



**United States Government**  
**NATIONAL LABOR RELATIONS BOARD**  
**Region 5**  
**103 South Gay Street, 8th Floor**  
**Baltimore, MD 21202-4061**

**Telephone: (410) 962-2822**  
**Facsimile: (410) 962-2198**

January 12, 2001

American Institute of Physics  
Mr. Marc H. Brodsky  
1 Physics Ellipse  
College Park, MD 20740

Re: Case 5-CA-29366-1

Dear Mr. Brodsky:

I am enclosing herewith a copy of the First Amended charge filed in the above-captioned case.

Very truly yours,  
*Wayne R. Gold*

Wayne R. Gold  
Regional Director

Enclosures

cc: Jackson, Lewis, Schnitzler & Krupman  
Mr. Mark L. Sussman  
1000 Woodbury Road, Suite 402  
Woodbury, NY 11197

Mr. Jeff Schmidt  
3003 Van Ness St., NW  
Washington, DC 20008

FORM NLRB-501

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES OF AMERICA  
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TPM